

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

Writ Appeal No.82 of 2015

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DATED:04.02.2015

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Between:
Nikitha Mahila Mandali,
Ayyavaripalle Village,
Vayalpad Mandal,
Chittoor District.

... Appellant

And

The State of Andhra Pradesh
Represented by its Principal Secretary,
Consumer Affairs, Food and Civil Supplies,
Hyderabad and others.

....Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
Writ Appeal No.82 of 2015

Judgment:(per the Hon'ble the Chief Justice Sri Kalyan Jyoti Sengupta))

The learned trial Judge, by the impugned order, has dismissed the writ petition on the ground that the appellant-writ petitioner has resorted to parallel proceedings by instituting the writ petition.

We are in total agreement with His Lordship. However, the learned counsel for the appellant says that the writ petition has been dismissed without looking into the real grievance of the appellant that the interlocutory application was dismissed on the very same day by the statutory appellate authority without giving any opportunity of being heard. On that score, the learned trial judge observed that the said order was not annexed. As such, it is not possible to do anything in the matter. Thus, we notice that statutory appeal was filed on 19.12.2014, and as stated by the learned lawyer for the appellant, the interlocutory application was also dismissed on the same day. If the appellant could wait without any interim relief till today, there is no harm to wait for another fortnight or so, without any interim relief.

We therefore dispose of the writ appeal directing the appellate authority to dispose of the appeal on merits in accordance with law within a period of three weeks from the date of communication of this order.

Pending miscellaneous petitions shall also stand closed.

No order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

4th February, 2015

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